

## **REMARKS**

This Amendment responds to the Office Action dated May 18, 2007 in which the Examiner rejected claims 17 and 18 under 35 U.S.C. §101 and rejected claims 1-18 under 35 U.S.C. §102(a).

As indicated above, claim 17 has been amended to be directed to statutory subject matter and claim 18 has been cancelled without prejudice. Therefore, Applicants respectfully request the Examiner withdraw the rejection of claim 17 under 35 U.S.C. §101.

As indicated above, claims 1, 9 and 17 have been amended in order to make explicit what is implicit in the claims. The Amendment is unrelated to a statutory requirement for patentability.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving user input according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information, indicated by the auxiliary information, with reproduction position information from the second event notice and (d) issuing a command for controlling reproduction operation of content based on the user input and a result of the comparison/computation.

By having an apparatus, method and program control reproduction operation of content based upon user input and computed reproduction position information as claimed in claims 1, 9 and 17, the claimed invention provides a reproduction controlling apparatus, method and program which can implement a variety of reproduction functions using predetermined

commands. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-18 were rejected under 35 U.S.C. §102(a) as being anticipated by *Kawamura et al* (U.S. Publication No. 2002/0044757).

*Kawamura et al.* appears to disclose that when an endpoint of a first section F1 of a bit stream of a recording medium is reached, a controller 2120 controls the drive controlling circuit 2106 to access the start position of the next section so that reproduction is started from the leading end of the second section S2 [0190].

Thus, *Kawamura et al.* accesses the start position of a next section when the endpoint of a previous section is reached. Nothing in *Kawamura et al.* show, teach or suggest issuing a command for controlling reproduction operation based upon user input and a result of comparison/computation of reproduction position information as claimed in claims 1, 9 and 17. *Kawamura et al.* only discloses accessing a start position of a next section when the endpoint of a section is reached.

Since nothing in *Kawamura et al.* shows, teaches or suggests issuing a command for controlling reproduction operation based upon user input and results of comparison/computation of reproduction position information as claimed in claims 1, 9 and 17, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. §102(a).

Claims 2-8 and 10-16 depend from claims 1 and 9 and recite additional features. Applicants respectfully submit that claims 2-8 and 10-16 would not have been anticipated by *Kawamura et al.* within the meaning of 35 U.S.C. §102(a) at least for the reason as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-8 and 10-16 under 35 U.S.C. §102(a).

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

### CONCLUSION

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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